

**BASIS FOR THE AMENDMENT**

The claims have been amended to correct minor informalities.

New Claims 11-16 have been added.

New Claim 11 is supported at page 5, 1<sup>st</sup> full paragraph of the specification.

New Claims 12 and 16 are supported at page 5, 3<sup>rd</sup> full paragraph of the specification.

New Claim 13 is supported at page 5, last paragraph of the specification.

New Claim 14 is supported at page 6, 1<sup>st</sup> paragraph of the specification.

New Claim 15 is supported at page 3, last paragraph of the specification.

No new matter is believed to have been added by entry of this amendment. Entry and favorable reconsideration are respectfully requested.

Upon entry of this amendment Claims 1-16 will now be active in this application.

### **REMARKS**

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **Claim 1** relates to a cosmetic pack preparation, comprising:

- (a) 5-20 wt% of polyvinyl alcohol; and
- (b) 0.01-10 wt% of a titanium-titanium dioxide sinter.

In contrast, Mizuguchi et al fail to disclose or suggest a cosmetic pack preparation, comprising: (a) 5-20 wt% of polyvinyl alcohol; and (b) 0.01-10 wt% of a **titanium-titanium dioxide sinter**.

Mizuguchi et al disclose the use of organic and/or inorganic pigment coated with a **hydrated** metal compound over the surface thereof. However, these particles are not **titanium-titanium dioxide sinter** as claimed. In fact, a review of the preparation methods at col. 5 and 6 shows that the organic and/or inorganic pigment coated with a **hydrated** metal compound are prepared in some type of solution. This is different from sintering which usually occurs at high temperatures and does not result in the pigment coated with a **hydrated** metal compound described in Mizuguchi et al. Thus, the **titanium-titanium dioxide sinter** and the organic and/or inorganic pigment coated with a **hydrated** metal compound are different and Claims 1 and 2 are not anticipated by Mizuguchi et al.

Further, the specification of the present invention distinguishes the **titanium-titanium dioxide sinter** from conventionally used titanium dioxide. See page 5, 3<sup>rd</sup> full paragraph of the specification.

Further, Applicants wish to draw the Examiner's attention to one embodiment of the present invention that is described at page 5, 3<sup>rd</sup> full paragraph. Here the **titanium-titanium dioxide sinter** is produced by mixing fine particles of titanium and titanium oxide at a ratio

of 1:5 and sintering the mixture at a temperature of 900-1000°C under reduced pressure for 3-5 hours. Such process does not result in the pigment coated with a **hydrated** metal compound described in Mizuguchi et al.

Further, the **titanium-titanium dioxide sinter** is used in the present invention to increase the covering effect of the cosmetic pack preparation, to make it easy to identify the applied areas and peeled areas and the skin cleaning effect, and to increase the drying speed and film strength, thereby rendering the film easy to be peeled off. See the specification at page 5, 2<sup>nd</sup> full paragraph. This also solves the problem of impaired dispersion stability of color pigments such as titanium oxide, red iron oxide etc. in an aqueous solution of polyvinyl alcohol due to the surface activity of the pigments. Notably, the particle surface activity of the **titanium-titanium dioxide sinter** is lower than that of conventionally used titanium oxide and black iron oxide. See page 5, 3<sup>rd</sup> full paragraph of the specification.

Mizuguchi et al does not disclose or suggest the use of the claimed **titanium-titanium dioxide sinter** or any advantages obtained by using such particles. Thus, Claims 1, 2 and 6-7 cannot be obvious over Mizuguchi et al.

Therefore, the rejection of Claims 1 and 2 under 35 U.S.C. § 102(b) as anticipated by Mizuguchi et al and the rejection of Claims 1, 2, 6, 7 under 35 U.S.C. § 103(a) over Mizuguchi et al are believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of these rejections is respectfully requested.

The rejection of Claim 1 under 35 U.S.C. § 102(b) as anticipated by Leverett is traversed.

Leverett fails to disclose or suggest a cosmetic pack preparation, comprising: (a) 5-20 wt% of polyvinyl alcohol; and (b) 0.01-10 wt% of a **titanium-titanium dioxide sinter**.

Leverett discloses the use of titanium dioxide (col. 3, line 58) but not **titanium-titanium dioxide sinter**. Thus, Claim 1 cannot be anticipated by Leverett.

Therefore, the rejection of Claim 1 under 35 U.S.C. § 102(b) as anticipated by Leverett is believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

The rejection of Claims 1, 4 and 5 under 35 U.S.C. § 103(a) over Terase et al is respectfully traversed.

Terase et al fail to disclose or suggest a cosmetic pack preparation, comprising: (a) 5-20 wt% of polyvinyl alcohol; and (b) 0.01-10 wt% of a **titanium-titanium dioxide sinter**.

Terase et al disclose a composition comprising metal oxide particulates supported on the surface of silica agglomerates which comprise scaly silica primary particles and describe titanium dioxide and titanium peroxide as examples of metal oxide used (column 2, line 56). However, the titanium-titanium dioxide sinter used in the present invention is a different compound from titanium dioxide and titanium peroxide described in Terase et al.

In addition, as acknowledged by the Examiner, there is no disclosure or suggestion of a cosmetic pack preparation, comprising: (a) 5-20 wt% of polyvinyl alcohol; in addition to the (b) 0.01-10 wt% of a **titanium-titanium dioxide sinter**.

Therefore, the rejection of Claims 1, 4 and 5 under 35 U.S.C. § 103(a) over Terase et al is believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

In addition, the rejection of Claims 1-3 and 8-9 under 35 U.S.C. § 103(a) over Leverett in view of Guerrero is respectfully traversed.

Leverett and Guerrero fail to disclose or suggest a cosmetic pack preparation, comprising: (a) 5-20 wt% of polyvinyl alcohol; and (b) 0.01-10 wt% of a **titanium-titanium dioxide sinter**.

Leverett discloses the use of titanium dioxide (col. 3, line 58) but not **titanium-titanium dioxide sinter**.

Guerrero also fail to disclose or suggest the use of a **titanium-titanium dioxide sinter** in a cosmetic pack preparation in combination with 5-20 wt% of polyvinyl alcohol. Thus, Guerrero does not cure the defects of Leverett.

Therefore, the rejection of Claims 1-3 and 8-9 under 35 U.S.C. § 103(a) over Leverett in view of Guerrero is believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

In addition, the rejection of Claims 1, 2 and 10 under 35 U.S.C. § 103(a) over Leverett in view of Kisuno et al is respectfully traversed.

Leverett and Kisuno et al fail to disclose or suggest a cosmetic pack preparation, comprising: (a) 5-20 wt% of polyvinyl alcohol; and (b) 0.01-10 wt% of a **titanium-titanium dioxide sinter**.

Leverett discloses the use of titanium dioxide (col. 3, line 58) but not **titanium-titanium dioxide sinter**.

Kisuno et al also fail to disclose or suggest the use of a **titanium-titanium dioxide sinter** in a cosmetic pack preparation in combination with 5-20 wt% of polyvinyl alcohol. Thus, Kisuno et al do not cure the defects of Leverett.

Therefore, the rejection of Claims 1, 2 and 10 under 35 U.S.C. § 103(a) over Leverett in view of Kisuno et al is believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

The objection to Claims 5-10 under 37 C.F.R. § 1.75 (c) is obviated by the amendment of these claims.

The rejection of Claims 5-10 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, is obviated by the amendment of these claims.

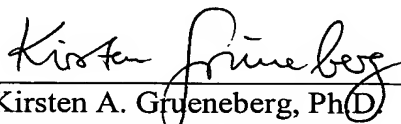
The objection to the specification is traversed. The Examiner states that incorporation of essential material in the specification by reference to various documents is improper.

However, the Examiner has failed to point out where in the specification such incorporation by reference can be found. Thus, this objection is insufficient and should be either substantiated or withdrawn.

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

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